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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003323

SIPDIS

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SUBJECT: ELECTION COMMISSION SEEKS CIVIL SERVICE STATUS,
THREATENS STRIKE

REF: BAGHDAD 3290

Classified By: Acting Deputy Chief of Mission Gary A. Grappo for reasons 1.4(b) and (d).

Summary

1. (C) Independent High Electoral Commission (IHEC) Board Chairman Faraj al-Haydari reported to POL M/C December 21 that IHEC is adhering to its operational time line for the March elections, but that security concerns have become the central focus at IHEC this week. Haydari briefed POL M/C on his efforts to address IHEC's security needs, and he asked the Embassy to support IHEC staff demands to convert their employment status from two-month renewable contracts to full-time civil service employment. Also on December 21, UNAMI SRSG Ad Melkert wrote a letter to the Presidency Council of the Council of Representatives (COR) encouraging a legal amendment that would permit IHEC personnel to gain civil service status. End Summary.

IHEC Seeks Civil Service Status

2. (C) Chairman Haydari reported to POL M/C December 21 that the IHEC staff remains worried about the deteriorating security situation, and they are particularly disturbed by the lack of a pension and death benefits as they face growing threats. (Note: These concerns reached critical mass this week in the wake of the assassination of an IHEC official and two unrelated kidnappings of relatives of IHEC personnel, reftel. End Note.) Haydari said that he suspects IHEC employees have threatened to go on strike to demand civil service status that will give them long-term job security and pensions to provide for their families. Haydari said that he tried to convince the staff not to strike, but that he has also consulted with the Prime Minister, the President, and the Speaker on how to convert IHEC employees to civil service status as soon as possible. He made a request to the Prime Minister for more security personnel, more weapons for security personnel, and for temporary housing in the International Zone for IHEC employees who want to use it. Tariq Abdullah, the Prime Minister's Chief of Staff, told the CDA December 23 that the Prime Minister had received Haydari's letter and, while providing personal security to IHEC would be a challenge, that the GOI could help provide housing to some IHEC officials in the International Zone as it did in 2005.

3. (C) POL M/C asked Chairman Haydari if IHEC had considered less time-consuming alternatives to requesting amendment of the civil service law in the COR, such as adjusting IHEC employee contracts to extend the desired benefits. Haydari countered that IHEC employees seek civil service status not only to ensure pensions for their families, but also to guarantee long-term employment. (Note: Nearly all of IHEC's 2000 staff work on 2-3 month temporary contracts. End Note.)

¶4. (C) The IHEC Chairman assured the POL M/C that the act of amending IHEC employee status would likely require "only ten minutes of discussion" in the COR and minimal changes to the existing law. Haydari reported that Speaker Iyad Samarra'i had not yet offered his support, but that they would continue discussions. Haydari said the Speaker had acknowledged that there were political sensitivities (and resistance) to giving civil service status to such a sizable group, which was overwhelmingly Shia in make-up. He also said that UNAMI SRSG Ad Melkert had already sent a letter to the COR in support of civil service status for IHEC employees, and he requested that the U.S. Embassy follow suit.

UNAMI

¶5. (C) UNAMI SRSG Ad Melkert sent a letter to the Presidency Q5. (C) UNAMI SRSG Ad Melkert sent a letter to the Presidency Council of the COR on December 21. In it, Melkert notes that, "for several years UNAMI has supported IHEC's efforts to secure the permanent civil service status for IHEC staff." The SRSG's letter advises that the COR amend Article 9(7) of Law No. 11 -- the law that created IHEC -- to allow IHEC the power to appoint employees as permanent staff who can be considered for pensions. The UNAMI Electoral Assistance Team has been advocating for civil service status for IHEC employees for over a year; the last effort fell apart in April 2009 when political blocs reportedly could not agree on the measure. In a separate meeting on December 21, Zoran Trajkovski of the UNAMI Electoral Assistance Team advised poloff that IHEC employees have "the right" to strike on this issue, and UNAMI does not discourage a strike at this time.

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Comment

¶6. (C) Post will raise this matter with the Speaker in our next meeting. Realistically, however, prospects for legislative action are modest at best as the COR continues to tackle more weighty issues, e.g. the 2010 budget, the military pension law, possible constitutional amendments, etc. Moreover, as the election nears, COR interest in addressing contentious issues wanes. Post will also work with UNAMI to seek ways to address IHEC needs in the weeks ahead.
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